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7 Attorneys for Defendant CROSSMARK, INC.

8 **IN THE UNITED STATES DISTRICT COURT**9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**10
11 GAYLE SMITH, an individually, and on
12 behalf of other members of the general
public similarly situated,

13 Plaintiff,

14 vs.

15 CROSSMARK, INC., a Delaware
16 Corporation, and DOES 1-10, inclusive,

17 Defendant.

Case No. Case Number

CV13-08624-R (VBK)
**DEFENDANT CROSSMARK, INC.'S
NOTICE OF RELATED CASES
[L.R. 83-1.3]**Action Filed: October 9, 2013
Date Removed: November 21, 2013
Trial Date: None Set

COPY

1 The undersigned counsel of record for defendant CROSSMARK, Inc.
2 ("CROSSMARK") certifies that a previously filed putative class action lawsuit
3 entitled *Mitchell v. CROSSMARK, Inc. et. al*, Case No. CV 11- 2818-JAK (FMOx)
4 involved substantive claims and time periods that overlap with the claims and time
5 periods at issue in the instant lawsuit. The foregoing matter was settled on
6 June 25, 2012.

7 CROSSMARK is not aware of any other actions previously filed or
8 currently pending in the Central District of California or any other court that,
9 together with the instant action, arise from or involve the same or closely related
10 transactions, happenings or events, or call for determination of the same or
11 substantially related or similar questions of law and fact, or will entail substantial
12 duplication of labor if heard by different judges.

13
14 DATED: November 21, 2013

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

15
16
17 By: 

Rafael G. Nendel-Flores
Allison Eckstrom
Lara C. de Leon

18
19 Attorneys for Defendant CROSSMARK,
20 INC.

CERTIFICATE OF SERVICE

Gayle Smith v. Crossmark, Inc., et al.

I am and was at all times herein mentioned over the age of 18 years and not a party to the action in which this service is made. At all times herein mentioned I have been employed in the County of Orange in the office of a member of the bar of this court at whose direction the service was made. My business address is Park Tower, Suite 1500, 695 Town Center Drive, Costa Mesa, CA 92626.

On November 21, 2013, I served the following document(s):

DEFENDANT CROSSMARK, INC.'S NOTICE OF RELATED CASES

by placing ☐ (the original) ☒ (a true copy thereof) in a sealed envelope addressed as follows:

Shawn C. Westrick
Timothy P. Hennessy
KAWAHITO SHRAGA & WESTRICK LLP
1990 S. Bundy Drive, Suite 280
Los Angeles, CA 90025
Telephone: (310) 746-5300
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☒ **BY MAIL:** I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Ogletree, Deakins, Nash, Smoak & Stewart, P.C.'s practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☒ **(Federal)** I declare that I am employed in the office of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on November 21, 2013, at Costa Mesa, CA.

Diane Vo
Type or Print Name

Signature